

FORM PTO-1390
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S CHECK NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

10873.1 USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown

10/500435

INTERNATIONAL APPLICATION NO.

PCT/JP03/06321

INTERNATIONAL FILING DATE

21 May 2003

PRIORITY DATE CLAIMED

21 May 2002

TITLE OF INVENTION

METHOD OF EFFECTING LYSIS OF ACID-FAST BACTERIA AND METHOD OF PERFORMING GENE AMPLIFICATION OR DETECTION THEREWITH

APPLICANT(S) FOR DO/EO/US

KAMATA, et al.

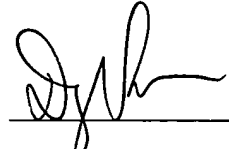
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ A signed oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Application Data Sheet, International Publication Page, Form PCT/ISA/210, Form PCT/IB/304, Form PCT/IB/308, PCT/IPEA/409, Computer readable form of Sequence Listing, Paper Copy of Sequence Listing

BEST AVAILABLE COPY

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) Unknown		INTERNATIONAL APPLICATION NO. CT/JP03/06321		ATTORNEY'S DOCKET NUMBER 10873.1416USWO	
17. [X] The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)): Search Report has been prepared by the EPO or JPO..... \$920.00 International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1))..... \$730.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$770.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO..... \$1080.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$100.00				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	30 -20 =	10	X \$18.00	\$180.00	
Independent claims	2 -3 =	0	X \$86.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1100.00	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$	
SUBTOTAL =				\$1100.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$	
TOTAL NATIONAL FEE =				\$1100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$40.00	
TOTAL FEES ENCLOSED =				\$1140.00	
				Amount to be: refunded	\$0.00
				charged	\$0.00
a. [X] Check(s) in the amount of \$1100 and \$40 to cover the above fees is enclosed. b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2725.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Douglas P. Mueller MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903					
				SIGNATURE: 	
				NAME: Douglas P. Mueller	
				REGISTRATION NUMBER: 30,300	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/500435

Applicant: KAMATA ET AL.

DT04 Rec'd PCT/PTO 28 JUN 2004

Docket: 10873.1416USWO

Title: METHOD OF EFFECTING LYSIS OF ACID-FAST BACTERIA AND METHOD OF PERFORMING GENE AMPLIFICATION OR DETECTION THEREWITH

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV407256593US

Date of Deposit: June 28, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: Teresa Anderson

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

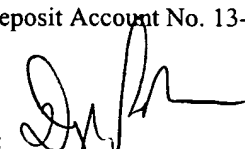
- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 17 pgs; 30 claims.
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 3 sheets of formal drawings
- ☒ A signed Combined Declaration and Power of Attorney
- ☒ Assignment of the invention to ARKRAY, Inc., Recordation Form Cover Sheet
- ☒ A check in the amount of \$1100.00 to cover the Filing Fee
- ☒ A check for \$40.00 to cover the Assignment Recording Fee.
- ☒ Application Data Sheet, 4 pages.
- ☒ Computer readable form of Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Form PTO-1390, Preliminary Amendment, International Publication Page, Form PCT/ISA/210, Form PCT/IB/304, Form PCT/IB/308, PCT/IPEA/409
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed		In Excess of:		Number Extra		Rate		Fee
Basic Filing Fee								\$920.00
Total Claims								
30	-	20	=	10	x	18.00	=	\$180.00
Independent Claims								
2	-	3	=	0	x	86.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$1100.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
(612) 332-5300

By: 
Name: Douglas P. Mueller
Reg. No.: 30,300
Initials: DMueller:PLSklg

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PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)